

Ruth Nettles

From: DAVIS.PHYLLIS [DAVIS.PHYLLIS@leg.state.fl.us]
Sent: Monday, April 07, 2008 5:24 PM
To: Filings@psc.state.fl.us
Cc: Rosanne Gervasi; mfriedman@rsbattorneys.com; Ken Hoffman
Subject: Filing in Docket No.: 070183-WS; Utilities, Inc., In re: Proposed adoption of Rule 25-30.4325, F.A.C., Water Treatment Plant Used and Useful Calculations
Importance: High
Attachments: OPC Response to Sen. Fasano letter 04-07-08.pdf

- a. Stephen C. Reilly, Esquire
Office of Public Counsel
111 W. Madison Street, Room 812
Tallahassee, FL 32399
Phone: (850) 488-9330
Fax: (850) 488-4491
Email: reilly.steve@leg.state.fl.us
- b. Docket No.: 070183-WS; In re: Proposed adoption of Rule 25-30.4325, F.A.C., Water Treatment Plant Used and Useful Calculations - Filing letter in response to Senator Mike Fasano's April 3, 2008 correspondence to Chairman Matthew Carter.
- c. Office of Public Counsel
- d. 1 page.
- e. Letter to Commission Clerk

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KEN PRUITT
President of the Senate



J. R. Kelly
Public Counsel

STATE OF FLORIDA
OFFICE OF PUBLIC COUNSEL

c/o THE FLORIDA LEGISLATURE
111 WEST MADISON ST.
ROOM 812
TALLAHASSEE, FLORIDA 32399-1400
850-488-9330

EMAIL: OPC_WEBSITE@LEG.STATE.FL.US
WWW.FLORIDAOPC.GOV

MARCO RUBIO
Speaker of the House of Representatives



April 7, 2008

Ann Cole
Clerk of the Commission
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Response to Senator Fasano's letter

Dear Ms. Cole:

The following letter is offered in response to your April 7, 2008 letter.

The Office of Public Counsel agrees with Senator Fasano that the proposed language of subsection (6)(b) of proposed rule 25-30.4325, F.A.C., should be amended. The firm reliable capacity defined in this subsection should be based upon 24 hours of pumping for systems with storage capacity.

A used and useful percentage based upon a fraction, with the numerator being the single maximum day demand of the year and the denominator being the capacity of the remaining wells (excluding the capacity of the largest well), for only 12 hours of the single maximum day, produces a mismatched used and useful fraction which is unfair to customers. Maximum day demand should be compared to maximum day capacity of the remaining wells (after excluding the capacity of the largest well), to produce a fair and properly matched used and useful fraction.

Sincerely,

Stephen C. Reilly
Associate Public Counsel

SCR/ppg

cc: Rosanne Gervasi
Martin S. Friedman
Ken A. Hoffman

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